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Paper No. 10

INTERNATIONAL PLANT MANAGEMENT, INC.  
55826 60<sup>TH</sup> AVENUE  
LAWRENCE, MI 49064

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**JUL 21 2004**

**OFFICE OF PETITIONS**

**ON PETITION**

In re Application of  
Roger D. Way, et al.  
Application No. 09/894,311  
Filed: June 27, 2001  
Attorney Docket No. N/A

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This is a decision on the renewed petition under 37 CFR 1.137(b), filed October 8, 2003 and supplemented on May 14, 2004, to revive the above-identified application.

The petition is **GRANTED**.

The above-identified application became abandoned for failure to reply in a timely manner to the non-final Office action mailed October 2, 2002, which set a shortened statutory period for reply of three (3) months. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the application became abandoned on January 3, 2003.

The petition satisfies the conditions for revival pursuant to the provisions of 37 CFR 1.137(b) in that (1) the reply in the form of a reply to the outstanding Office action of October 2, 2002; (2) the petition fee; and (3) an acceptable statement of unintentional delay by Richard S. Cahoon have been received. Accordingly, the reply to the non-final Office action of October 2, 2002 is accepted as having been unintentionally delayed.

Petitioner is reminded that amendments and other papers in the file must be signed by a proper party in accordance with the provisions of 37 CFR 1.33(b) and 37 CFR 1.34.

Petitioner has submitted an "issue fee" in the amount of \$315. However, since the issue fee cannot be prepaid, the issue fee cannot be accepted at this time. Accordingly, petitioner may request a refund of the \$315 issue fee submitted by writing to Mail Stop 16; Director of the U. S. Patent and Trademark Office; P.O. Box 1450; Alexandria, VA 22313-1450. A copy of this decision should accompany petitioner's request.

The application file is being forwarded to Technology Center 1600, Art Unit 1661 for further processing.

Telephone inquiries concerning this decision should be directed to the undersigned at (703) 306-5594.

A handwritten signature in cursive script that reads "Retta Williams".

Retta Williams  
Petitions Examiner  
Office of Petitions  
Office of the Deputy Commissioner  
for Patent Examination Policy

cc: Richard S. Cahoon, Ph.D.  
Cornell Research and Technology Park  
20 Thornwood Drive, Suite 105  
Ithaca, NY 14850